

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RUTH E. DUDLEY,
Plaintiff,

CIVIL ACTION

v.

NANCY A. BERRYHILL,¹
Acting Commissioner of Social Security
Administration,
Defendant.

NO. 16-4056

ORDER

AND NOW, this 3rd day of October, 2017, upon consideration of plaintiff's Request for Review (Document No. 13, filed December 30, 2016), the record in this case, the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey, dated September 14, 2017, no objections having been filed, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey, dated September 14, 2017, is **APPROVED** and **ADOPTED**;
2. Plaintiff's Request for Review is **GRANTED** to the extent plaintiff seeks a remand to the Acting Commissioner of Social Security and **DENIED** in all other respects; and,
3. The case is **REMANDED** to the Commissioner of the Social Security Administration in accordance with the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey, dated September 14, 2017.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.

¹ Nancy A. Berryhill became the Acting Commissioner of Social Security On January 21, 2017. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill is substituted for Carolyn W. Colvin as the defendant in this suit.